

USPQ2d 1653, 1656 (Fed. Cir. 1994) (emphasis added). The “usefulness” or “uselessness” of a claim limitation plays no part in this analysis. The step that the Examiner alleges is useless is adequately described in the specification; the Examiner has not presented any argument to refute this proposition. Therefore, one of ordinary skill in the art would, from reading the specification, understand the step and the purpose for which it implemented. As for the Examiner’s contention that the claim is unclear as to whether the signal segments are being combined, or whether they become inputs to the overall transmission function, the answer to the Examiner’s question is in the body of the claim. Claim 1 clearly recites that the signal segments are simulated by the transmission functions, and the transmission functions are combined into the overall transmission function. The claims do not recite that the signal segments themselves are necessarily being combined into an overall transmission function; claim 1 will go only so far as to explicitly recite that the simulations of these segments, as represented by the transmission functions, are combined. Since the purpose of claims is to demarcate the boundaries of Applicants’ right to exclude others, and not to explain what is meant by the terms used therein, which is the role of the specification, Applicants submit that the claim need not detail what is meant by using signal segment simulations in the form of transmission functions to form an overall transmission function. So long as the specification explains these steps, and the Examiner has not provided any evidence or reasoning that refutes this assertion, the claim is sufficient under 35 U.S.C. § 112, ¶2. Accordingly, withdrawal of the rejection of claim 1 under this statute is respectfully requested.

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,814,897 to Ito et al. (“Ito”). Applicants note that the § 102(e) date for this reference, March 27, 1997, falls in between the United States filing date and foreign priority date for the present application. In order to establish that Applicants are entitled to antedate Ito by reliance on the foreign priority date of November 20, 1996, Applicants submit herewith, in conformance with the procedures set forth in MPEP § 201.15, a translation of the foreign priority application in this application and a statement that this translation is accurate. Accordingly, withdrawal of this rejection is respectfully requested.

In any event, even if Ito could not be antedated, Applicants would nevertheless submit that since Ito is directed to the analysis of a real collision signal with the goal of recognizing the correct collision type and of driving the restraining devices accordingly, Ito does not, as in the

claimed invention, deal with the production of synthetic collision signals.

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito in view of U.S. Patent No. 5,345,402 to Gioutsos et al. ("Gioutsos"). As demonstrated above, Ito is not prior art with respect to the claims and cannot be relied upon to reject them. Gioutsos pertains to a collision simulation system that does not employ the features as expressed in the limitations of claims 1-6. Therefore, for this reason, Applicants respectfully request withdrawal of the rejection of claims 4-6 under 35 U.S.C. § 103(a).

The present invention is new, non-obvious, and useful. Reconsideration and allowance of claims 1-6 are respectfully requested.

Respectfully submitted,

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